

House File 166 - Introduced

HOUSE FILE 166

BY KOESTER

A BILL FOR

1 An Act relating to persons offering orthotic, prosthetic, and
2 pedorthic services to the public, and relating to the scope
3 of orthotic, prosthetic, and pedorthic services which may
4 be ordered by certain health care providers, and including
5 transition provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 148F.2, subsections 2 and 4, Code 2013,
2 are amended to read as follows:

3 2. "*Orthosis*" means a custom-fabricated or custom-fitted
4 brace or support designed to provide for alignment, correction,
5 or prevention of neuromuscular or musculoskeletal dysfunction,
6 disease, injury, or deformity. "*Orthosis*" does not include
7 fabric or elastic supports, corsets, arch supports, low
8 temperature plastic splints, trusses, elastic ~~hoses~~ hose,
9 canes, crutches, soft cervical collars, dental appliances,
10 or other similar devices carried in stock and sold as
11 "over-the-counter" items by a drug store, department store,
12 corset shop, or surgical supply facility.

13 4. "*Orthotic and prosthetic scope of practice*" means a
14 list of tasks, with relative weight given to such factors as
15 importance, criticality, and frequency, based on nationally
16 accepted standards of orthotic and prosthetic care as
17 outlined by the American board for certification in orthotics,
18 prosthetics, and pedorthics, incorporated.

19 Sec. 2. Section 148F.2, subsection 3, unnumbered paragraph
20 1, Code 2013, is amended to read as follows:

21 "*Orthotic and prosthetic education program*" means a course
22 of instruction accredited by the ~~national~~ commission on
23 accreditation of allied health education programs, consisting
24 of both of the following:

25 Sec. 3. Section 148F.2, subsection 8, unnumbered paragraph
26 1, Code 2013, is amended to read as follows:

27 "*Pedorthic education program*" means an educational program
28 ~~accredited by the American board for certification in~~
29 ~~orthotics, prosthetics, and pedorthics~~ approved by the national
30 commission on orthotic and prosthetic education consisting of
31 all of the following:

32 Sec. 4. Section 148F.2, subsections 9 and 16, Code 2013, are
33 amended to read as follows:

34 9. "*Pedorthic scope of practice*" means a list of tasks
35 with relative weight given to such factors as importance,

1 criticality, and frequency based on nationally accepted
2 standards of pedorthic care as outlined by the American board
3 for certification in orthotics, prosthetics, and pedorthics,
4 incorporated.

5 16. "*Resident*" means a person who has completed an education
6 program in either orthotics or prosthetics and is continuing
7 the person's clinical education in a residency accredited by
8 the ~~American board for certification in orthotics, prosthetics~~
9 ~~and pedorthics~~ national commission on orthotic and prosthetic
10 education.

11 Sec. 5. Section 148F.5, subsection 2, paragraph c, Code
12 2013, is amended to read as follows:

13 c. Complete a qualified ~~work~~ clinical experience program
14 ~~or internship~~ in pedorthics that has a minimum of one thousand
15 hours of pedorthic patient care experience in accordance
16 with any standards, guidelines, or procedures established
17 and approved by the board. The majority of training must
18 be devoted to services performed under the supervision of a
19 licensed orthotist or licensed practitioner of pedorthics or a
20 person certified as a certified pedorthist whose practice is
21 located outside the state.

22 Sec. 6. Section 148F.7, Code 2013, is amended to read as
23 follows:

24 **148F.7 Limitation on provision of care and services.**

25 A licensed orthotist, prosthetist, or pedorthist may provide
26 care or services only if the care or services are provided
27 pursuant to an order from a licensed physician, a licensed
28 podiatric physician, an advanced registered nurse practitioner
29 ~~who has a written collaborative agreement with a collaborating~~
30 ~~physician or podiatric physician that specifically authorizes~~
31 ~~ordering the services of an orthotist, prosthetist, or~~
32 ~~pedorthist, an advanced registered nurse practitioner who~~
33 ~~practices in a hospital or ambulatory surgical treatment center~~
34 ~~and possesses clinical privileges to order services of an~~
35 ~~orthotist, prosthetist, or pedorthist~~ licensed pursuant to

1 chapter 152 or 152E, or a physician assistant who has been
 2 delegated the authority to order the services of an orthotist,
 3 prosthetist, or pedorthist by the assistant's supervising
 4 physician. ~~A licensed podiatric physician or an advanced~~
 5 ~~registered nurse practitioner collaborating with a podiatric~~
 6 ~~physician may only order care or services concerning the foot~~
 7 ~~from a licensed pedorthist or orthotist.~~

8 Sec. 7. NEW SECTION. 148F.9 Transition period.

9 1. Through June 30, 2014, a person certified as an
 10 orthotist, prosthetist, or pedorthist by the American board
 11 for certification in orthotics, prosthetics, and pedorthics,
 12 incorporated, or holding similar certification from other
 13 accrediting bodies, may apply for and may be issued an initial
 14 license to practice orthotics, prosthetics, or pedorthics under
 15 the provisions of this chapter without meeting the requirements
 16 of section 148F.5, upon proof of current certification in good
 17 standing and payment of the required licensure fees.

18 2. Through June 30, 2014, a person not certified as
 19 described in subsection 1 who has practiced continuously
 20 for at least thirty hours per week on average for at least
 21 five of seven years in an accredited and bonded facility
 22 as an orthotist, prosthetist, or pedorthist may file an
 23 application with the board to continue to practice orthotics,
 24 prosthetics, or pedorthics. The practice described under this
 25 subsection shall only be required to have been performed in
 26 an accredited and bonded facility if the facility is required
 27 to be accredited and bonded by Medicare. The five years of
 28 continuous practice must occur between July 1, 2007, and July
 29 1, 2014. A person applying under this subsection may be
 30 issued an initial license to practice orthotics, prosthetics,
 31 or pedorthics under the provisions of this chapter without
 32 meeting the requirements of section 148F.5, upon payment of the
 33 licensure fees required by the department and after the board
 34 has reviewed the application.

35 3. On or after July 1, 2014, an applicant for licensure

1 as an orthotist, prosthetist, or pedorthist shall meet the
2 requirements of section 148F.5.

3 4. The board shall adopt rules to administer this section.

4 EXPLANATION

5 This bill contains several amendments to Code chapter 148F
6 regulating orthotic, prosthetic, and pedorthic practice and
7 services. The name of the national organization which approves
8 the course of instruction has been changed, and the bill makes
9 related conforming changes. The bill also provides that the
10 work component of the licensing requirement include a clinical
11 component and eliminates provisions for internships.

12 The bill strikes a provision in Code section 148F.7 that
13 specified circumstances under which a licensed advanced
14 registered nurse practitioner could order care or services
15 concerning the foot from a licensed pedorthist or orthotist,
16 and, instead, generally gives a licensed advanced registered
17 nurse practitioner that authority.

18 The bill creates a transition period through June 30,
19 2014, allowing persons who are certified as an orthotist,
20 prosthetist, or pedorthist by a national organization or who
21 have worked continuously as an orthotist, prosthetist, or
22 pedorthist for five of seven specified years to be licensed
23 without otherwise meeting the requirements of Code chapter
24 148F.